

Summary¹
Water Pollution Control Board
Indiana Government Center South
Conference Center Room A
Indianapolis, Indiana
Wednesday, April 11, 2007

1. CALL TO ORDER

Chairperson Gary Powdrill called the meeting to order at 1:35 p.m. A quorum was present.

Members present: Gary Powdrill (Chairperson); Robert Warnock; Ken Hedge; Dave Wagner; Jim Flannery; Mark Legan; Howard Cundiff (proxy for Dr. Judith A. Monroe, IDOH); Jim Ray (proxy for Robert E. Carter, IDNR); Pam Fisher (proxy for Nathan J. Feltman, Sec. of Commerce); and Deborah Albright (board counsel).

Present for IDEM: Thomas Easterly, IDEM Commissioner; Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; Pat Carroll, Chief, Drinking Water Branch, OWQ; and Don Daily, Chief, Facilities Inspection Section, OWQ.

2. ANNOUNCEMENTS

Chairperson Powdrill had the board members introduce themselves and announce their affiliations. He also inquired about the recovery of Ted Alexander's family.

3. APPROVAL OF MINUTES

Chairperson Powdrill called for the approval of the March 13, 2007, board minutes. There was an omission of a motion approved by the board for Chairperson Powdrill to write a letter to EPA expressing the board's concerns about the need to adopt rules when EPA does not meet its dates for the CAFO rulemakings.

A motion was made and seconded to approve the March 13, 2007, minutes as amended. The board agreed, in the future, IDEM staff would prepare a "summary" for its approval.

4. REPORTS

Mr. Bruno Pigott discussed various rulemakings that were listed in the OWQ Streamlined Rulemaking Schedule document. Those rulemakings were *E.coli*, Wastewater Operator Certification and Antidegradation. Mr. Pigott explained why those rulemakings were progressing slower than the other rulemakings. He later mentioned the Chloride Variance rulemaking.

Antidegradation - Ms. Martha Clark Mettler indicated that to avoid creating conflicts IDEM had presented its rulemaking concept to internal staff members to get their input. As a result, internal staff raised some questions which the group is trying to answer. She added that the agency is also waiting to hear from Ms. Kari Evans, Governor's office, regarding her review of IDEM's concept for its re-second notice rule language.

Board Discussion - Board members discussed issues concerning: 1) whether to change the board's minutes into summaries for future board meetings; 2) the need for a court reporter at

¹ This summary was prepared from the official transcript.

board meetings when there are no public hearings; and 3) what is the board's legal role for approving a certified board transcript.

5. RULE ACTIONS

A. LSA Doc. #06-44 Drinking Water Reporting (Section 7)

Chairperson Powdrill opened the public hearing for consideration of the final adoption of amendments to LSA Doc. #06-44 Drinking Water Reporting rules. Mr. Pat Carroll spoke for the agency. There were no commenters. The public hearing concluded. There was no board discussion.

A motion to final adopt the proposed rule as preliminarily adopted was made and seconded. With a roll call vote, the board unanimously voted for the final adoption of the Drinking Water Reporting proposed rules.

B. LSA Doc. #06-96 Sewer Ban (Restriction of Additional Flow to Overloaded Wastewater Treatment Facilities)

Chairperson Powdrill opened the public hearing for the preliminary adoption of the Sewer Ban draft rules. Mr. Don Daily spoke for the agency. There were no commenters so the public hearing concluded. Mr. Wagner supported what Mr. Daily had stated. The public hearing concluded. There was no other board discussion.

A motion was made and seconded to preliminarily adopt the draft rules. With a voice vote, the board unanimously voted to preliminarily adopt the Sewer Ban draft rules.

6. OPEN FORUM

There were no public commenters.

7. ADJOURNMENT

Chairperson Powdrill announced that since there was no urgent rule action to come before the board in May, the May 2007 board meeting would be cancelled.

The issue of where to hold an off-site board meeting in June 2007 was discussed. It was concluded that the June board meeting would be held in Fort Wayne, Indiana, and that the exact site would be determined at a later date.

The next WPCB meeting is scheduled for Wednesday, June 13, 2007, in Fort Wayne, Indiana, at 1:30 p.m., E.D.T. The meeting site will be determined later. Thereafter, Chairperson Powdrill adjourned the WPCB meeting at 2:30 p.m.

CHAIRPERSON

A court reporter recorded this meeting. A typewritten transcript of the entire meeting is on file in the Office of Water Quality, Indiana Department of Environmental Management.